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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92051465
Party	Plaintiff EA Digital Illusions CE AB and Electronic Arts Inc.
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Submission	Opposition/Response to Motion
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Date	08/29/2011
Attachments	SF- #1233572-v1-EA_Edge_Cancellation_-_Opposition_to_Motion_to_Withdraw_Su rrender.pdf ( 3 pages )(27158 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Registration No. 3,559,342  
For the Trademark THE EDGE  
Issued January 13, 2009

In the Matter of Registration No. 3,381,826  
For the Trademark GAMER'S EDGE  
Issued February 12, 2008

In the Matter of Registration No. 3,105,816  
For the Trademark EDGE  
Issued June 20, 2006

In the Matter of Registration No. 2,251,584  
For the Trademark CUTTING EDGE  
Issued June 8, 1999

In the Matter of Registration No. 2,219,837  
For the Trademark EDGE  
Issued January 26, 1999

**EA DIGITAL ILLUSIONS CE AB, a Swedish  
corporation; ELECTRONIC ARTS INC., a  
Delaware corporation,**  
  
**Petitioners,**  
  
**v.**  
  
**EDGE GAMES, INC., a California corporation,  
FUTURE PUBLISHING LTD.**  
  
**Respondents.**

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**Cancellation No. 92051465**

Trademark Trial and Appeal Board  
U.S. Patent and Trademark Office  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

**PETITIONERS' OPPOSITION TO MOTION OF DEFENDANT EDGE GAMES  
TO WITHDRAW (REVERSE) SECTION 7 SURRENDER OF  
REG. NOS. 3,559,342 and 2,219,837**

Registrant Edge Games, Inc. ("Edge") has moved to withdraw its surrender of Reg. Nos. 3,559,342 and 2,219,837 (the "Subject Registrations") on the grounds that they were co-owned by Respondent Future Publishing Ltd. ("Future") and therefore Edge lacked the ability to cancel them. Edge's arguments are without merit, and ignore critical facts and relevant legal principles. Because the Subject Registrations were ordered cancelled by a judgment of the United States District Court for the Northern District of California binding on the Board, Edge's motion must be denied and the Subject Registrations cancelled in accordance with the Court's judgment.

As stated in Future's August 18, 2011 opposition to Edge's motion, Edge's surrender of the Subject Registrations was the result of a stipulation and Court judgment thereon directing the Patent & Trademark Office to cancel the Subject Registrations pursuant to 15 U.S.C. § 1119. Edge, by its principal Tim Langdell, stipulated to the Court's judgment with full knowledge of its prior dealings with Future, which had in fact been disclosed to the Court. Edge has no legal basis to argue that the Board should withdraw its prior surrender of the Subject Registrations.

Petitioners otherwise join in Future's opposition to the subject motion and incorporate its contents by reference as though fully set forth herein.<sup>1</sup>

Date: August 29, 2011

Respectfully submitted,

COOLEY LLP

By:   
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<sup>1</sup> Petitioners also advise the Board that they did not receive service copies of Edge's motion, and learned of its filing only through a periodic status check of the Board's online database.

**CERTIFICATE OF TRANSMITTAL AND SERVICE**

I hereby certify that the foregoing **PETITIONERS' OPPOSITION TO MOTION OF DEFENDANT EDGE GAMES TO WITHDRAW (REVERSE) SECTION 7 SURRENDER OF REG. NOS. 3,559,342 and 2,219,837** is being electronically transmitted in PDF format to the Trademark Trial and Appeal Board through the Electronic System for Trademark Trials and Appeals (ESTTA) on the date indicated below.

I hereby further certify that on the date indicated below, a true and correct copy of the foregoing document was placed for delivery by Federal Express, addressed to the correspondents for Respondents in this proceeding (as identified in the TTAB database) as follows:

EDGE GAMES, INC.  
530 SOUTH LAKE AVENUE #171  
PASADENA, CA 91101

ROBERT N. PHILLIPS, ESQ.  
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SAN FRANCISCO, CALIFORNIA 94105

Date: August 29, 2011



Gavin L. Charlston